

REMARKS

The above-captioned patent application has been carefully reviewed with regard to the Final Office Action to which this Amendment is responsive. Claims 4, 7, 9, 15, 17, 32, 34, 35 and 38 have been amended in an effort to further clarify and distinctly describe that which is regarded as the present invention. Claims 1-3, 11-14, 21-30, and 60 have been canceled. To that end, no new matter has been added.

Applicant gratefully acknowledges the allowability of Claims 31-59, 61 and 62 over the prior art of record. The Examiner has also objected to but provisionally has allowed Claims 4-10, 15-19 and 22. To that end, Applicant has now amended Claim 4 by making this claim independent and incorporating the subject matter of base Claims 1 and 3. Similarly, Applicant has also amended Claim 7 to incorporate the subject matter of Claims 1 and 3, Claim 9 to include the subject matter of Claim 1 and Claim 15 to include the subject matter of Claims 1 and 11. Since each of Claims 4, 7, 9, and 15 have been deemed allowable by the Examiner, it is respectfully submitted that each of these claims are now in an allowable condition. Withdrawal of the objection is respectfully requested.

As to the prior art rejections noted in the outstanding Office Action, Applicant has canceled Claims 1-3, 11-14, 21-30 and 60. Therefore, it is believed each of these rejections are now considered moot.

Finally and regarding the remainder of the claim amendments made by Applicant, Claim 17 has been amended to correct an obvious typographical error, Claims 32, 34 and 35 have been amended to delete the term "ring" in favor of the correct term "electrode". Applicant has only recently discovered this latter error, but believes that this inclusion by amendment does not add any new issues for search to the Examiner nor does this change add new matter to the present application. Support is found, for example, on page 11 of the present specification, lines 10-13. Lastly, Applicant has also corrected Claim 38 to indicate that the values of frequency are based on a stimulus parameter, in order to more fully comport with the terminology of independent Claim 31. To that end, it is believed no new matter has been added. Entry of this Amendment is respectfully requested.

Serial No.: 10/058,191
Amendment Dated: July 14, 2004
Reply to Office Action of April 16, 2004

In summary, it is believed the above-captioned patent application is now in an allowable condition and such allowance is earnestly solicited.

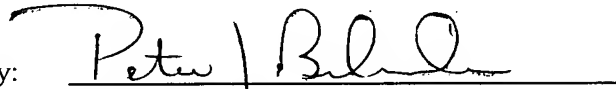
If the Examiner wishes to expedite disposition of the above-captioned patent application, he is invited to contact Applicant's representative at the telephone number below.

The Director is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

By:

A handwritten signature in black ink, appearing to read "Peter J. Bilinski", written over a horizontal line.

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